

**FILED**

October 04, 2021

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXASBY: Yvette Lujan  
DEPUTY**UNITED STATES DISTRICT COURT**

for the

**Western District of Texas**

Pecos Division

United States of America

v.

(1) Esmeraldai DOMINGUEZ-Rodriguez

(2) Angel CANO

Case No. 4:21-mj-1011*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 30, 2021 in the county of Presidio in the  
**WESTERN DISTRICT OF TEXAS**, the defendant(s) violated:*Code Section**Offense Description*

8 USC 1324

The defendant(s) did knowingly or in reckless disregard of the fact that an alien has come to, entered, and remained in the United States in violation of law, did transport, move, and attempt to transport and move such alien within the United States in furtherance of said violation of law, for the purpose of private financial gain.

This criminal complaint is based on these facts:



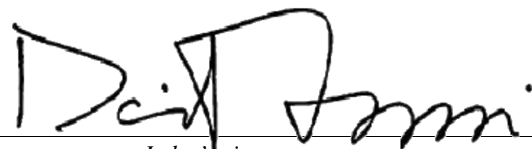
Continued on the attached sheet.

OATH TELEPHONICALLY  
SWORN AT 9:00 A.M.  
FED.R.CRIM.P. 4.1(b)(2)(A)Date: 10/04/2021City and state: Alpine, Texas

/s/ Justin Hall

*Complainant's signature*

Justin Hall, Special Agent

*Printed name and title**Judge's signature*

Honorable Judge David B. Fannin

United States Magistrate Judge

### **Affidavit**

On 09/30/2021 at approximately 0030 hours, a United States Border Patrol (USBP) Supervisory Border Patrol Agent (SBPA) and a Presidio Police Department (PPD) Officer (OFC) were positioned near O'Reilly Street in Presidio, Texas. The SBPA and the OFC observed four (4) vehicles travelling in tandem westbound on O'Reilly Street. The OFC had seen the same vehicles travelling eastbound on FM-170 near the east edge of town approximately thirty (30) minutes prior. The OFC informed the SBPA of this information.

The FM-170 area where OFC observed the vehicles traveling is in very close proximity to the U.S./Mexico border, and, in many places, lies within one (1) mile of the border. This area is commonly exploited by alien smugglers for the purpose of picking up and/or transporting illegal aliens. The area is very rural. It is common for alien smugglers to depart Presidio, Texas to pick up illegal aliens in this remote area. Oftentimes, the smugglers will then return directly to or through Presidio, Texas in a very short time period with the smuggled aliens.

The SBPA and the OFC followed the vehicles. The vehicles turned north onto Erma Avenue in Presidio, Texas, and ultimately proceeded north onto U.S. Highway 67 (US-67). US-67 is a well-utilized corridor from the international border area into the interior of the United States. The next nearest

The OFC observed one of the vehicles, a Jeep Cherokee (hereinafter the CHEROKEE) cross out of its established lane on more than one occasion. The officer also noticed the CHEROKEE was travelling at approximately fifty-five (55) miles per hour in a seventy (70) mile per hour zone. The OFC initiated a traffic stop on the CHEROKEE for failure to maintain a single lane on US-67 just north of Presidio, Texas. The OFC spoke with a male driver operating the CHEROKEE. The driver granted the OFC consent to search the CHEROKEE. The OFC discovered two (2) individuals concealed in the CHEROKEE's cargo area. BPAs later conducted an immigration inspection of the occupants and determined the passengers in the cargo area were illegally present in the United States.

The SBPA then initiated a vehicle stop on another vehicle in the tandem group, a red Nissan Xterra (hereinafter the RED XTERRA), in effort to conduct an immigration inspection. The RED XTERRA yielded without incident. Upon approaching the RED XTERRA, the SBPA observed a blanket in the cargo compartment which appeared to be moving. The SBPA spoke with the female driver (later identified as Angel CANO) who informed the SBPA there were people under the blanket. The SBPA discovered two (2) people under the blanket whom BPAs ultimately determined were illegal aliens.

The SBPA and the OFC communicated via radio communications that both vehicles were loaded with illegal aliens. A BPA responded to the traffic stops to assist. The SBPA informed the BPA of two (2) outstanding vehicles traveling tandem with the group which were still traveling northbound. The SBPA described the outstanding vehicles as a brown Nissan Xterra (hereinafter the BROWN XTERRA) and a white Chevrolet Camaro (hereinafter the CAMARO). The BPA proceeded to attempt to locate the outstanding vehicles.

The BPA caught up to the remaining vehicles approximately eleven (11) miles north of Presidio, Texas. The BPA began to run checks on the BROWN XTERRA's license plate. The BROWN XTERRA began to brake. The CAMARO accelerated and distanced itself from the BROWN XTERRA. The BPA initiated a vehicle stop on the BROWN XTERRA to conduct an immigration inspection. The BROWN XTERRA yielded approximately twelve miles north of Presidio.

Upon approaching the BROWN XTERRA, the BPA observed a blanket in the rear hatch area which appeared to be concealing something. The BPA approached the driver (later identified as Esmeraldai DOMINGUEZ-Rodriguez) and asked if there were other people in the vehicle. DOMINGUEZ stated there were two (2) other people in the vehicle. The BPA asked if the people were under the blanket in the rear hatch area, to which DOMINGUEZ responded in the affirmative. The BPA opened the rear hatch and discovered two (2) individuals under the blanket. BPAs ultimately determined the passengers in the hatch area were illegally present in the United States.

At approximately 0726 hours this same date, USBP contacted Homeland Security Investigations (HSI) to advise them of the suspected failed alien smuggling event. An HSI Special Agent (SA) and Task Force Officer (TFO) responded to the Presidio USBP station further investigate.

At approximately 0850 hours, the SA/TFO initiated a post-Miranda audio-recorded interview with DOMINGUEZ. DOMINGUEZ waived her rights and agreed to speak with the SA/TFO. DOMINGUEZ ultimately admitted transporting the individuals whom she knew or believed to be illegally present in the United States in exchange for financial gain. DOMINGUEZ worked at the direction of others who had informed DOMINGUEZ the individuals whom DOMINGUEZ would be transporting were illegally present. DOMINGUEZ admitted she picked up the smuggled aliens on the side of the road in/near Redford, Texas. DOMINGUEZ intended to transport the individuals to Odessa, Texas. DOMINGUEZ also admitted knowing CANO. DOMINGUEZ claimed CANO was also involved in the endeavor.

At approximately 0929 hours, the SA/TFO initiated a post-Miranda audio-recorded interview with CANO. CANO waived her rights and agreed to speak with the SA/TFO. CANO ultimately admitted her knowledge and/or belief the people whom she was transporting were illegally present. Another participant in the endeavor told CANO that CANO would be picking up illegal aliens. CANO stated she expected to receive financial gain for her participation in the endeavor. CANO admitted going with DOMINGUEZ to Odessa, Texas to obtain vehicle(s) for the smuggling endeavor before returning to Presidio to pick up the smuggled aliens.

The United States Attorney Office (USAO) in Alpine, TX was advised of the foregoing facts and authorized Federal Prosecution of DOMINGUEZ and CANO for violations of Title 8 USC 1324 – Alien Smuggling.

I make this affidavit based on my personal knowledge and information furnished to me by other law enforcement officers.